

rules and pass the joint resolution, H.J. Res. 44.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the joint resolution was passed.

A motion to reconsider was laid on the table.

□ 1815

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

WILLIAM ORTON LAW LIBRARY IMPROVEMENT AND MODERNIZATION ACT

Ms. ZOE LOFGREN of California. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2728) to provide financial support for the operation of the law library of the Library of Congress, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2728

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "William Orton Law Library Improvement and Modernization Act".

SEC. 2. FINANCIAL SUPPORT FOR LAW LIBRARY OF LIBRARY OF CONGRESS.

(a) FINANCIAL SUPPORT.—In addition to any other amounts made available for the salaries and expenses of the Library of Congress, there are authorized to be appropriated to the Librarian of Congress \$3,500,000 for maintaining and administering the operations of the law library of the Library of Congress, including the cataloging of the collections of the law library. Any amounts appropriated pursuant to the authority of this subsection shall remain available without fiscal year limitation until expended.

(b) ELECTRONIC CATALOGING OF NONPROPRIETARY MATERIAL.—To the extent practicable, in using any funds appropriated pursuant to the authority of subsection (a) to catalog and archive nonproprietary material in the collections of the Law Library after the date of the enactment of this Act, the Law Librarian of Congress shall catalog and archive the material electronically in a nonproprietary and nondiscriminatory format. Nothing in the previous sentence may be construed to affect any cataloging and archiving activities carried out with funds which are not appropriated pursuant to the authority of subsection (a).

SEC. 3. SEPARATION OF LAW LIBRARY SALARIES AND EXPENSES IN PREPARATION OF ANNUAL LIBRARY OF CONGRESS BUDGET.

(a) SEPARATE BUDGET TREATMENT OF LAW LIBRARY.—In preparing the annual budget for the Library of Congress which will be

submitted by the President under chapter 11 of title 31, United States Code, and in preparing the annual budget and related materials for the Library of Congress for the use of the Committees on Appropriations of the Senate and House of Representatives, the Librarian of Congress shall ensure that all amounts attributable to salaries and expenses of the law library of the Library of Congress are set forth separately as a separate line item from other salaries and expenses of the Library of Congress.

(b) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2011 and each succeeding fiscal year.

SEC. 4. WILLIAM ORTON PROGRAM TO SUPPORT THE MISSION OF THE LAW LIBRARY OF THE LIBRARY OF CONGRESS.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Librarian of Congress, acting through the Law Librarian of Congress, shall establish and operate a program to be known as the "William Orton Law Library Support Program" (hereafter in this section referred to as the "Program"), which will—

(A) provide enhanced or special services and programs for the Law Library; and

(B) otherwise support the mission of the Law Library.

(2) RELATION TO OTHER PROGRAMS.—The Librarian shall operate the Program in a manner which ensures that the resources of the Program are not commingled with the resources used to carry out the program operated under section 2.

(b) ROLE OF OTHER ENTITIES.—The Librarian may carry out the Program through agreements and partnerships entered into with other government and private entities, including the American Association of Law Libraries and the American Bar Association.

(c) PRIVATE SUPPORT.—

(1) ACCEPTANCE OF DONATIONS.—Donations of funds and in-kind contributions in support of the Program may be accepted—

(A) by the Library of Congress Trust Fund Board, as provided under the Act entitled "An Act to create a Library of Congress Trust Fund Board, and for other purposes", approved March 3, 1925 (2 U.S.C. 154 et seq.); and

(B) by the Librarian of Congress, as provided under section 4 of such Act (2 U.S.C. 160).

(2) USE OF AMOUNTS.—Notwithstanding the second paragraph of section 2 of the Act entitled "An Act to create a Library of Congress Trust Fund Board, and for other purposes", approved March 3, 1925 (2 U.S.C. 157), or the third sentence of section 4 of such Act (2 U.S.C. 160), any amounts accepted by the Library of Congress Trust Fund Board or the Librarian of Congress in support of the Program shall be subject to disbursement by the Librarian only upon the recommendation of the Law Librarian (except to the extent otherwise provided under any terms and conditions on the use of the amounts which are imposed by the person making the donation).

(3) ACCEPTANCE OF OTHER VOLUNTARY SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Librarian of Congress may accept voluntary and uncompensated services in support of the Program.

(d) ESTABLISHMENT OF SEPARATE ACCOUNT.—

(1) IN GENERAL.—There is established in the Treasury (among the accounts of the Library of Congress) a separate account for the Program, which shall consist of—

(A) amounts accepted by the Library of Congress Trust Fund Board in support of the Program as described in subsection (c)(1)(A), together with any income earned on such amounts;

(B) amounts accepted by the Librarian of Congress in support of the Program as de-

scribed in subsection (c)(1)(B), together with any income earned on such amounts;

(C) amounts appropriated pursuant to the authorization under subsection (f); and

(D) interest on the balance of the account.

(2) USE OF AMOUNTS.—The funds contained in the account established under this subsection shall be used solely by the Law Librarian of Congress to carry out the Program.

(e) ANNUAL REPORT.—Not later than April 30 of each year (beginning with 2010), the Librarian of Congress shall submit a report on Program funding and activities to the Committee on House Administration of the House of Representatives, the Committee on Rules and Administration of the Senate, the American Bar Association, and the American Association of Law Libraries. The report shall include—

(1) a listing of all donations received in support of the Program during the previous year;

(2) the total obligations during the previous year for each Program activity;

(3) the amount appropriated pursuant to the authorization under subsection (f) for the fiscal year beginning on the previous October 1;

(4) a list of Program activities, with budget information for each such activity, planned for the calendar year in which the report is submitted; and

(5) any findings in the most recently completed audit conducted with respect to the Law Library or Program funds or investments.

(f) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other amounts authorized to be appropriated to the Librarian of Congress for the Law Library of Congress for a fiscal year, there are authorized to be appropriated for deposit into the account established under subsection (d) an amount equal to 40 percent of the amount of the donations accepted by the Library of Congress Trust Fund Board in support of the Program under subsection (c)(1) during the previous fiscal year.

SEC. 5. DESIGNATION OF LAW LIBRARY OF LIBRARY OF CONGRESS AS NATIONAL LAW LIBRARY.

The law library of the Library of Congress shall be known and designated as the "National Law Library", and any reference to the law library of the Library of Congress in any law, rule, regulation, or document shall be deemed to be a reference to the National Law Library.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. ZOE LOFGREN) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. ZOE LOFGREN of California. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on this legislation.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. ZOE LOFGREN of California. I yield myself such time as I may consume.

Madam Speaker, this bill is named after William Orton, a Member of the United States House of Representatives from Utah's Third Congressional District from 1991 to 1997. Bill passed away

in April of this year. Bill was a tireless advocate for the Law Library, and this legislation is a fitting way to honor his memory.

The Law Library of Congress maintains a unique and world-renowned collection. This bill will help ensure that the Law Library will have the resources needed to maintain and expand its collections while at the same time modernizing its systems. The act authorizes, number one, \$3.5 million for maintaining and administering the operations of the Law Library, including the cataloging of the collections of the Law Library; two, a line item for the Law Library to ensure the autonomy and ability to improve the Law Library; and, three, the creation of the William Orton Program to provide enhanced or special services and programs for the Library and otherwise support the mission of the Law Library.

The Library may carry out the program through agreements and partnerships entered into with other government and private entities, including the American Association of Law Libraries and the American Bar Association. Donations of funds and in-kind contributions in support of the program may be accepted, and it requires an annual report.

Finally, H.R. 2728 was amended by the House Administration Committee; and during markup, we made a change in the name of the Law Library to the National Law Library to increase the role and status of the Law Library. This bill authorizes to be appropriated for the program an amount equal to 40 percent of the amount of the donations accepted by the Library of Congress Trust Fund Board in support of the program. This is a 60/40 private-public split. The Law Library is an invaluable resource both to the Congress and the Nation, and we have an obligation to future generations to provide for its continuation through the establishment of the William Orton Program.

Some of the organizations that are supporting this bill include the American Bar Association, the American Association of Law Libraries, and the Northern California Association of Law Libraries.

Now, why is this bill important to the point that myself and my colleague from California (Mr. DANIEL E. LUNGREN) have actually spent several years working on this? Not only is this collection unique in the United States and important to the rule of law in the United States; this collection is important to the world. And I will give you an example why. When the Taliban was finally expelled from government in Afghanistan, the people of Afghanistan looked to reinstitute the rule of law; and the only place where Afghani law could be found was in the Law Library at the Library of Congress in the United States. It was through that collection that we were able to help in that civil way in the reinstitution of the rule of law.

I would just like to say one further word about the late Bill Orton. After he left the Congress, he went back into private practice, but he always volunteered his time. He spent countless hours with the bar association and others, coming and trying to help the Law Library.

He understood that it wasn't flashy, but it was important. Actually, that's just like Bill, a guy who wasn't flashy but who was serious and did important things for his country. I can remember sitting on this floor next to then-Congressman Bill Orton, discussing the issues of the day while he had his young son Will sitting on his lap. Many times during State of the Union speeches, young Will would be there with his dad.

I hope that in addition to doing these good things through passing this bill that Will and the rest of his family can take satisfaction that Bill Orton's name will forever be associated with this Law Library, and we will always be in his debt for what he has done.

I reserve the balance of my time.

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I yield myself as much time as I may consume.

I am pleased to rise in support of the bill that will pave the way for the Law Library at the Library of Congress to more fully serve this community, the legal community, academia and the public. The Law Library has one of the greatest collections of legal documents in the world, unparalleled in its breadth and depth.

The collection is so significant and diverse that following removing the Taliban from power in Afghanistan, as was suggested by my colleague from California, the Afghani people turned to the Library of Congress' archives to find a copy of the laws and Constitution of their country, Afghanistan.

Not much more than a year ago, in May 2008, a good friend and colleague of ours, the late Representative Bill Orton of Utah, appeared before the House Appropriations Committee and delivered compelling testimony toward the importance of properly funding this Law Library. It is, therefore, fitting that it is in his honor that we move this bill forward today.

Among Bill Orton's arguments for passionate support of the Law Library, perhaps two are most salient: the manner in which the current budgetary scheme forces the Library of Congress to balance the various departments against one another and the pressing need for an avenue to facilitate and dedicate private support for this Law Library. The American Bar Association, in a letter this month to the House of Representatives, echoed Bill Orton's testimony, explaining that the spreading of budgetary shortfalls has led at times to the neglect of particular portions of collections. For example, the ABA highlights the fact that the Law Library's loose leaf subscriptions are months out of date.

At the time of his testimony, Bill Orton appeared as a representative of

the American Bar Association, which is dedicated and committed to specifically address the maintenance, accessibility and relevance of the Law Library. When pressed as to whether the legal community would pitch in as a partner in financially supporting the Law Library, his response was emphatically, Yes.

With the passage of this bill, we enable our partners in the legal community to fulfill that commitment, and we give them an avenue through which that can be done.

□ 1830

More personally, this bill serves as a tribute to our late colleague, Bill Orton. During his service in this body, he was a passionate advocate for the law library and its many resources. He recognized the value of the careful stewardship of the law library's institutional mission. And so I hope that with our vote today, we will move that much closer to seeing the goal of Bill Orton realized.

I urge my colleagues, therefore, to join me in supporting the memory of Bill Orton, the mission of the law library, and this bill.

Madam Speaker, I yield back the balance of my time.

Ms. ZOE LOFGREN of California. Madam Speaker, before yielding back, I would simply thank the gentleman from California for being my partner in this effort. I thank, again, the members of the House Administration Committee for working with us. And remember, once again, our colleague, Bill Orton, who was such a fine person, who did so much in his life. I know that his sons, Will and Wesley, and his wife, Jacquelyn, were very proud of him, and I know that they will take satisfaction that his volunteerism is being recognized through this effort today.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and pass the bill, H.R. 2728, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

PROVIDING FOR HOUSE OF REPRESENTATIVES STAFF PAYDAY CHANGES

Mrs. DAVIS of California. Madam Speaker, I move to suspend the rules